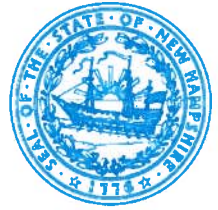




The State of New Hampshire
Department of Environmental Services



Clark B. Freise, Assistant Commissioner

February 7, 2017

The Honorable Kevin Avar
Chair, Energy and Natural Resources Committee
State House, Room 103
Concord, NH 03301

RE: SB 119 An Act relative to the length of a dock on a water body.

Dear Chair Avar and Members of the Committee:

Thank you for the opportunity to testify on SB 119. This bill would allow docks installed under the wetland permit exemption provision RSA 482-A:3, IV-a (e) to be longer than docks installed in accordance with a permit. The New Hampshire Department of Environmental Services (NHDES) opposes this bill.

NHDES understands concerns relative to providing for adequate water depth adjacent to docking structures and supports review of the rules and policies in place pertaining to all pier lengths. Currently, a property owner having 75 feet of shorefront may choose to install a seasonal pier by obtaining a permit using the process outlined in RSA 482-A:3, I, the expedited process authorized by RSA 482-A:11, VI, or the permit by notification process authorized by RSA 482-A:11, VI-A. In the alternative, they may choose not to obtain a permit at all and install a pier using the exemption outlined under RSA 482-A:3, IV-a (e). This legislation, as proposed, would allow shorefront owners that choose to utilize the exemption provision in RSA 482-A:3, IV-a (e) to install a longer dock than is allowed under any of the three permit processes. The extra dock length would be solely the result of the decision to use one administrative process as opposed to another. In addition, the water depth data this legislation cites for use in determining dock length does not exist. NHDES notes that HB 195 proposes to form a study committee to study temporary seasonal docks and suggests it may be more appropriate to allow that committee, if formed, to study this issue as well.

Thank you again for the opportunity to comment on SB 119. Should you have further questions or need additional information, please feel free to contact either Darlene Forst, Shoreland Section Supervisor, Darlene.forst@des.nh.gov (271-4067) or Collis Adams, Wetland Bureau Administrator, collis.adams@des.nh.gov (271-4054).

Sincerely,

Clark B. Freise

Assistant Commissioner

cc: Sponsors of SB 119: Senators Sanborn, Avar, French, Gannon, Giuda, Reagan, and Representative Vadney